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January 19, 2022

**BY ECF**

The Honorable Victor Marrero  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *United States v. Dov Malnik, (Case No. 19-CR-714)*

Dear Judge Marrero:

We represent Dov Malnik connection with the above captioned matter. The Court sentenced Mr. Malnik on November 19, 2021. As part of the Court's sentence, the Court imposed a \$50,000 fine and a \$100 assessment. Mr. Malnik has complied with that order, and has additionally paid \$2,828,699 to the United States Securities Commission in full satisfaction of the civil penalty imposed in his civil case. As a result, the United States Attorney's Office has deemed the Order of Forfeiture in the amount of \$1,594,779 imposed by the Court to be satisfied pursuant to the terms of Mr. Malnik's plea agreement.

We are informed that, in the process of complying with his financial obligations in his criminal and civil cases, Mr. Malnik mistakenly paid a total of \$90,100 to the Court Clerk of Southern District of New York, resulting in an overpayment of \$40,000 of Mr. Malnik's fine and assessment. We are advised by the Clerk's Office that Court approval is required to have the Clerk's Office return the \$40,000 overpayment to Mr. Malnik. We are further advised that wiring these funds to Mr. Malnik overseas poses certain administrative difficulties to the Clerk's Office and would likely result in a substantial delay.

Accordingly, we now we write to request that the Court permit the Court Clerk to return the \$40,000 to Willkie Farr & Gallagher LLP, on behalf of Mr. Malnik. The Government consents to this request. Thank you for your consideration.

Respectfully submitted,

/s/ Michael S. Schachter

Michael S. Schachter

cc: (via ECF)  
Richard Allen Cooper  
Daniel Marc Tracer  
(*U.S. Department of Justice*)